

Message Text

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ORIGIN L-03

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-01
INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
NSCE-00 USIE-00 INRE-00 DHA-02 ACDA-07 AF-10
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DRAFTED BY L-MSANDLER:MERS
APPROVED BY L - HERBERT HANSELL
L/OES - RBETTAUER
IO/HR - WHEWITT
NEA/IAI - GKULICK

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O R 281636Z APR 77
FM SECSTATE WASHDC
TO USMISSION GENEVA IMMEDIATE
INFO USMISSION USUN NEW YORK
AMEMBASSY TEL AVIV

C O N F I D E N T I A L STATE 095850

FOR ALDRICH FROM HANSELL

E.O. 11652: GDS

TAGS: ICRC, PARM, PFOR

SUBJECT: DIPLOMATIC CONFERENCE ON INTERNATIONAL
HUMANITARIAN LAW - ISRAELI DEMARCHE

REF: A) GENEVA 3111; B) STATE 93311

1. MINISTER BAR-ON OF ISRAELI EMBASSY IN WASHINGTON HAS
WRITTEN ME IN CONNECTION WITH DEMARCHE DISCUSSED IN
REFTELS. HIS APRIL 22 LETTER (TEXT CONTAINED PARA 3 BELOW)
REFERS TO A CONVERSATION WE HAD SEVERAL DAYS AGO IN WHICH,
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AMONG OTHER THINGS, HE ASKED ABOUT A POSSIBILITY THAT THE
CONFERENCE MAY CONSIDER EXTENDING PRISONER OF WAR STATUS
TO CAPTURED GUERRILLAS AND LIBERATION MOVEMENT COMBATANTS.
I THOUGHT YOU SHOULD HAVE TEXT OF BAR-ON LETTER AVAILABLE
PRIOR TO YOUR FRIDAY LUNCHEON WITH MEIR ROSENNE, AT WHICH
YOU WILL BE SEEKING CLARIFICATION OF ISRAELI CONCERNS.

2. WE SHARE YOUR PUZZLEMENT AT ISRAELI DEMARCHES. WHILE ISRAELIS STILL OPPOSE ARTICLE 1 OF PROTOCOL I, THEY MUST RECOGNIZE THAT NO PRACTICAL CHANCE OF MODIFYING IT EXISTS. ARTICLE 42, WHICH YOU DRAFTED AS RAPPOREUR OF COMMITTEE III, WAS ADOPTED BY COMMITTEE BY VOTE OF 66 (US) -2 (BRAZIL AND ISRAEL) -18 ON APRIL 22 (GENEVA 3017). ALDRICH ANALYSIS OF ARTICLE 42 REPORTED IN USIS GENEVA P 261640Z SHOULD ALLAY ISRAELI CONCERNS. WE ARE UNAWARE OF ANY ATTEMPTS TO REOPEN COMPROMISE AMENDMENT IN PROPOSED AMENDMENT CDDH/I/233 TO ARTICLE 84. WE HOPE YOUR LUNCHEON CAN CLARIFY AND ANSWER ISRAELI CONCERNS. WE LOOK FORWARD TO YOUR REPORT ON ROSENNE LUNCHEON AND RECOMMENDATIONS FOR FURTHER FOLLOW UP WITH ISRAELIS HERE. ALSO WOULD APPRECIATE KNOWING PLANNED SCHEDULE FOR CONFERENCE TAKING UP ITEMS OF CONCERN TO ISRAELIS.

3. BEGIN TEXT OF LETTER. APRIL 22, 1977. MR. HERBERT J. HANSELL, LEGAL ADVISOR, U.S. DEPARTMENT OF STATE, WASHINGTON, D.C. DEAR MR. HANSELL, YOU MIGHT RECALL THAT I MENTIONED TO YOU THE OTHER DAY THE QUESTION AT PRESENT DISCUSSED IN GENEVA, OF THE PROPOSED AMENDMENT TO THE GENEVA CONVENTION. IN THIS CONNECTION YOU MIGHT BE INTERESTED IN THE ATTACHED EXCERPTS FROM A VERY RECENT INTERVIEW BY ARAFAT. AS YOU WILL SEE, ARAFAT SPEAKS OF QTE MANY FORMS OF THE PALESTINIAN STRUGGLE UNQTE TO TAKE PLACE WITHIN THE NEXT FEW WEEKS, AND REFERS DIRECTLY TO VIOLENT ACTION.

I AM CERTAIN THAT YOU WILL AGREE WITH ME THAT THIS TYPE
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OF ACTION WHICH ARAFAT SEEMS TO HAVE IN MIND CANNOT BE BUT TERRORIST ACTIVITIES WHICH, SHOULD THE PROPOSED AMENDMENT TO THE GENEVA CONVENTION BE ADOPTED, WOULD THEN BE INTERPRETED AS LEGITIMATE ACTS OF BELLIGERENCY. I DO BELIEVE THAT THIS PARTICULAR PROPOSAL NOT ONLY WARRANTS A U.S. NEGATIVE VOTE BUT ALSO A STRONG STATEMENT BY THE U.S. DELEGATION OBJECTING TO THIS PARTICULAR IDEA.

WITH WARMEST PERSONAL REGARDS. SINCERELY YOURS, HANAN BAR-ON, MINISTER. END OF TEXT.

4. BEGIN TEXT OF EXCERPT. EXCERPT FROM INTERVIEW BY ARAFAT WITH THE KUWAITI WEEKLY QTE ELIKAZA UNQTE, APRIL 11, 1977. QTE I AM NOT A MAN OF ARRANGEMENTS AND COMPROMISES. I AM STRUGGLING UNTIL EVERY INCH OF PALESTINE WILL BE RESTORED...OUR STRUGGLE FOR THE OCCUPIED TERRITORIES WILL ESCALATE IN VIOLENCE AND DETERMINATION. WE WILL DEEPEN OUR SUICIDE STRIKES AGAINST THE ZIONIST ENEMY. THE NEXT FEW WEEKS WILL WITNESS

MANY FORMS OF THE PALESTINIAN STRUGGLE IN OUR OCCUPIED
HOMELAND AND I WILL LET THE FEDAYEEN ACTIVITY TALK FOR
ITSELF AND TRANSLATE THOSE WORDS INTO EXTRAORDINARY ACTS.

I EXPECT A NEW WAR, A FIFTH WAR, IN THE MIDDLE EAST. THIS
WAR CAN COMMENCE ANY MOMENT. ISRAEL HAS JUST NOW
FINISHED ITS OWN PLANNING...OUR REVOLUTION IS A REVOLUTION
OF LIBERATION, AND NOT A REVOLUTION OF COMPROMISE. WE

WILL NOT GIVE UP A SINGLE INCH OF OUR TERRITORY AND WILL
NOT LET GO OF ANY ONE OF OUR RIGHTS. UNQTE.
VANCE

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Message Attributes

Automatic Decaptioning: X
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